

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-and-

THE VULCAN SOCIETY, INC., *for itself and on behalf of its members*, JAMEL NICHOLSON, and RUSEBELL WILSON, *individually and on behalf of a subclass of all other victims similarly situated seeking classwide injunctive relief*;

ROGER GREGG, MARCUS HAYWOOD, and KEVIN WALKER, *individually and on behalf of a subclass of all other non-hire victims similarly situated*; and

CANDIDO NUÑEZ and KEVIN SIMPKINS, *individually and on behalf of a subclass of all other delayed-hire victims similarly situated*,

Plaintiff-Intervenors,

-against-

THE CITY OF NEW YORK,

Defendant.

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NICHOLAS G. GARAUFIS, United States District Judge.

The court informs the Court Monitor that on February 7, 2013, the United States Court of Appeals for the Second Circuit granted the City's motion for a stay of certain provisions of the Remedial Order issued on December 8, 2011. The Order granting the stay is attached as an exhibit to this Memorandum. The court has reviewed the Order and advises the parties on two points.

First, the court reminds the City of its continuing obligations under the Document Retention and Preservation Order issued on September 10, 2012. The City has not appealed this Order and must, except where inconsistent with the stay, continue to abide by its directives.

Second, it is the court's understanding that the stay applies only to certain provisions of the court's December 8, 2011, Remedial Order, and that except where inconsistent with the stay, all of the court's other Orders remain in effect. The court reminds the Special Masters that the City has not appealed the court's October 26, 2012, Final Relief Order, which governs the individual relief claims process for nonhire and delayed-hire claimants. The Special Masters and the parties are reminded to move forward with the claims process as set forth in the court's prior Orders relating to individual relief.

Dated: Brooklyn, New York
February 8, 2013

/s/
NICHOLAS G. GARAUFIS
United States District Judge